



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Suzanne Skadowski, Project Manager

Public Notice Date: April 8, 2005
Expiration Date: May 8, 2005
Reference: 200401358
Name: La Pianta LLC (Segale)

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - La Pianta LLC (Segale)
Mr. Mark Segale
Post Office Box 88028
Tukwila, Washington 98188
Telephone: (206) 575-2000

AGENT - Ms. Sue Carlson
Post Office Box 88028
Tukwila, Washington 98188
Telephone: (206) 575-2000
Email: scarlson@segalebp.com

LOCATION - In wetlands and streams adjacent to the Green River, at Tukwila, Washington.

WORK - Fill and excavate 9.4 acres of wetlands and approximately 7,355 linear feet (1.07 acres) of streams and ditches.

PURPOSE - Develop a technology and business campus approximately 250 acres in size located near the Seattle metro area and near highway and airport transportation facilities.

MITIGATION - To mitigate for loss of wetland habitat and functions, 32.4 acres of pasture wetland habitat and hydrology will be rehabilitated with evenly distributed scrub-shrub, palustrine and emergent wetland communities. To mitigate for loss of stream habitat and functions, Johnson Creek will be realigned and restored and the Green River levee will be reconfigured to create 4.2 acres of open water off-channel habitat and 2.6 acres riparian buffer. The applicant's stream and wetland functional assessment and conceptual mitigation plans, dated November 5, 2004, is available upon request.

ADDITIONAL INFORMATION - The applicant's polymer stormwater treatment system plans included in the Water Quality Protection Plan and Stormwater Pollution Prevention Plan (under preparation) will be available upon request.

ENDANGERED SPECIES - The Endangered Species Act (ESA), as amended, requires assessment of potential impacts to listed and proposed species. Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), coastal-Puget Sound bull trout (*Salvelinus confluentus*), and bald eagle (*Haliaeetus leucocephalus*), listed threatened in

the state of Washington, occur in the proposed project area. For Puget Sound Chinook salmon and coastal-Puget Sound bull trout, critical habitat has been proposed. The U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to these species and consult under Section 7 of the ESA with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service. The applicant's Biological Evaluation, dated January 7, 2005, is available upon request.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act, requires all Federal agencies to consult with the NMFS on all actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. If the Corps determines that the proposed action may adversely affect EFH, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. No known historic properties occur in the vicinity of the proposed project. However, the property has been in agricultural use and studies have shown that shallow plow layers are likely to leave historic properties undisturbed. Because of the project's position in the landscape (adjacent to a river), there is a high likelihood that unknown historic properties occur in the project area. The applicant's archaeological and historical resources technical report, dated February 10, 2005, is available upon request. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, water supply and conservation, water quality, safety, food production, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

200401358

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is also the subject of Shorelines Substantial Development Permit application that will be processed by City of Tukwila.

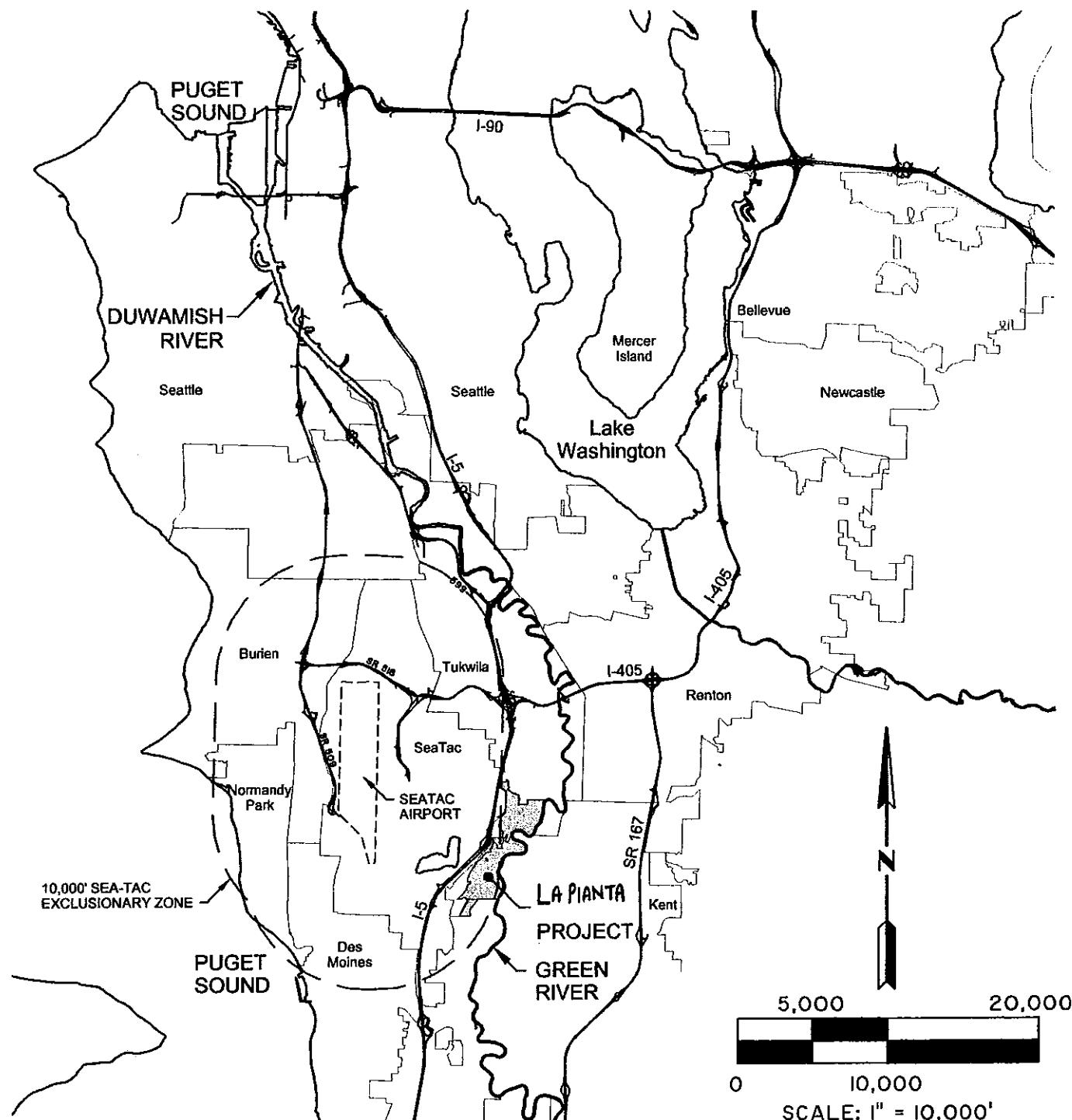
COMMENT AND REVIEW PERIOD - Mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. E-mail comments should be sent to Suzanne.A.Skadowski@usace.army.mil. Mail comments should be sent Attn: Suzanne Skadowski, U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, Washington, 98124-3755. Both mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

La Pianta LLC (Segale), 200401358

Encl

Drawings (19)

Additional detailed drawings are available upon request



DIRECTIONS FROM SEATTLE:

- I-5 SOUTH TO S. 188TH ST. (EXIT I52)
- TURN LEFT ON S. 188TH ST.
- S. 188TH ST. BECOMES ORILLA RD. S.
- TURN LEFT ON S. 200TH ST.

THE PROJECT SITE LIES WITHIN PORTIONS OF:
SECTIONS 26 & 35, TOWNSHIP 23N, RANGE 4E AND
SECTIONS 2 & 3 TOWNSHIP 22N, RANGE 4E,
WILLAMETTE MERIDIAN

LATITUDE AND LONGITUDE

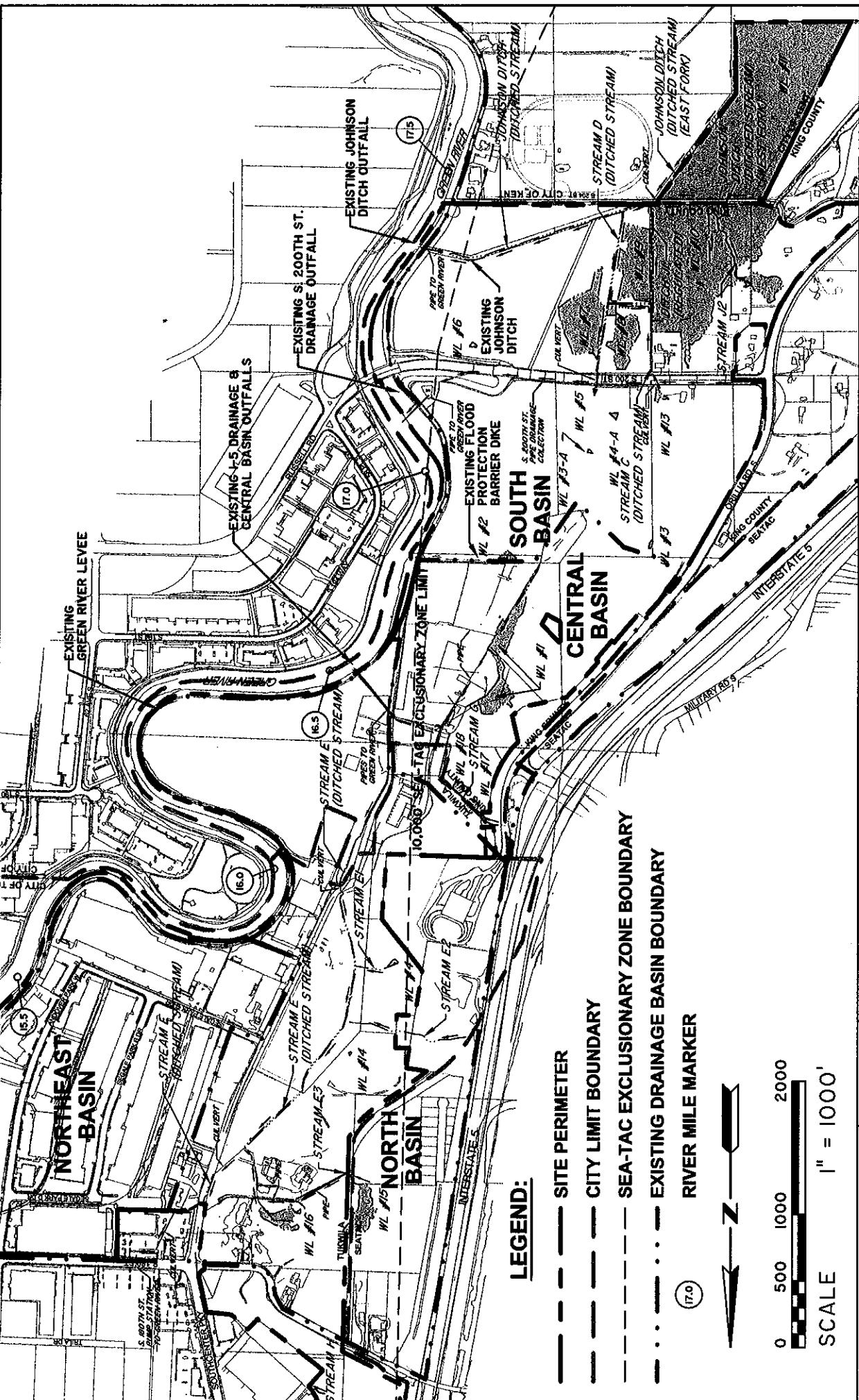
47° 25' 49" NORTH
122° 15' 57" WEST



GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1984

CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HORIZONTAL: NAD 83/91; Vertical: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004 Revised 3/30/05
APPLICATION BY: LA PLANTA LLC (*Segale*)
PO BOX 88028
TUKWILA, WA 98138

AERIAL PHOTO
SHEET 2 OF 19

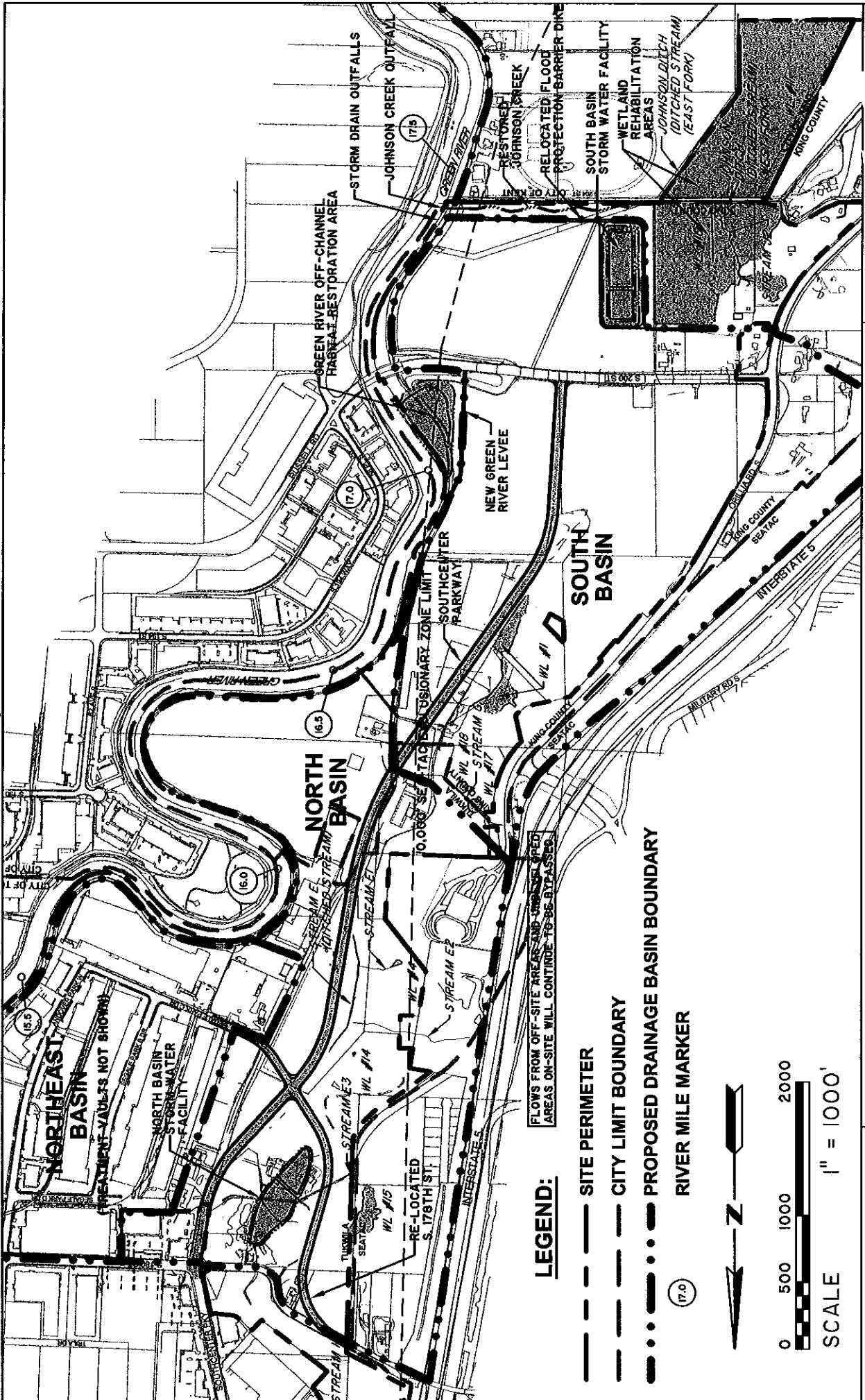


GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1968

CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: H.O.: NAD 83/91; VERT: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PIANTA LLC
PO BOX 88028
TUKWILA, WA 98138

SHEET 3 OF 19
OVERALL SITE
EXISTING CONDITIONS

REVISED:
3/30/05

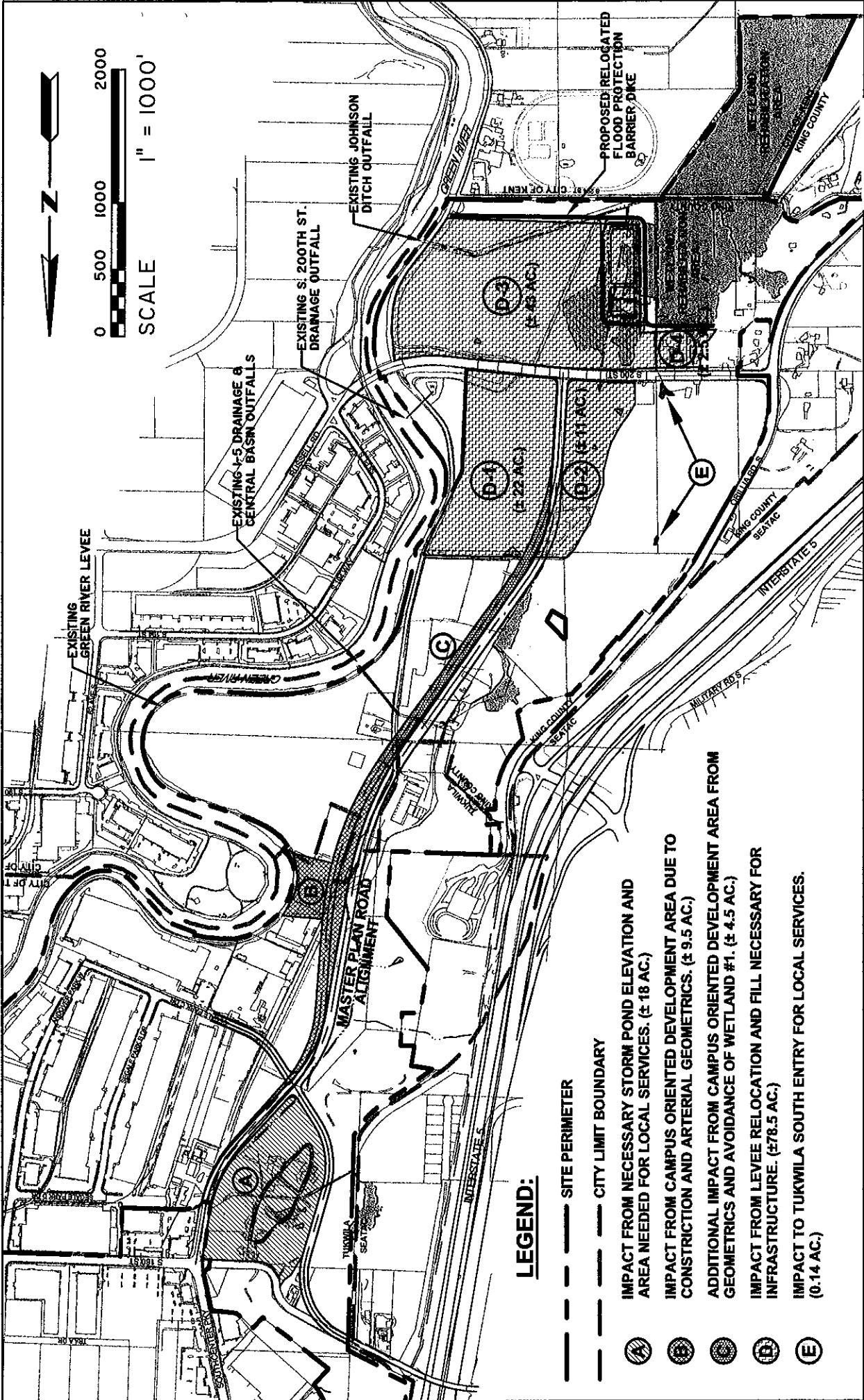


GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1968

SHEET 4 OF 19

**DEVELOPED CONDITIONS
OVERALL SITE**

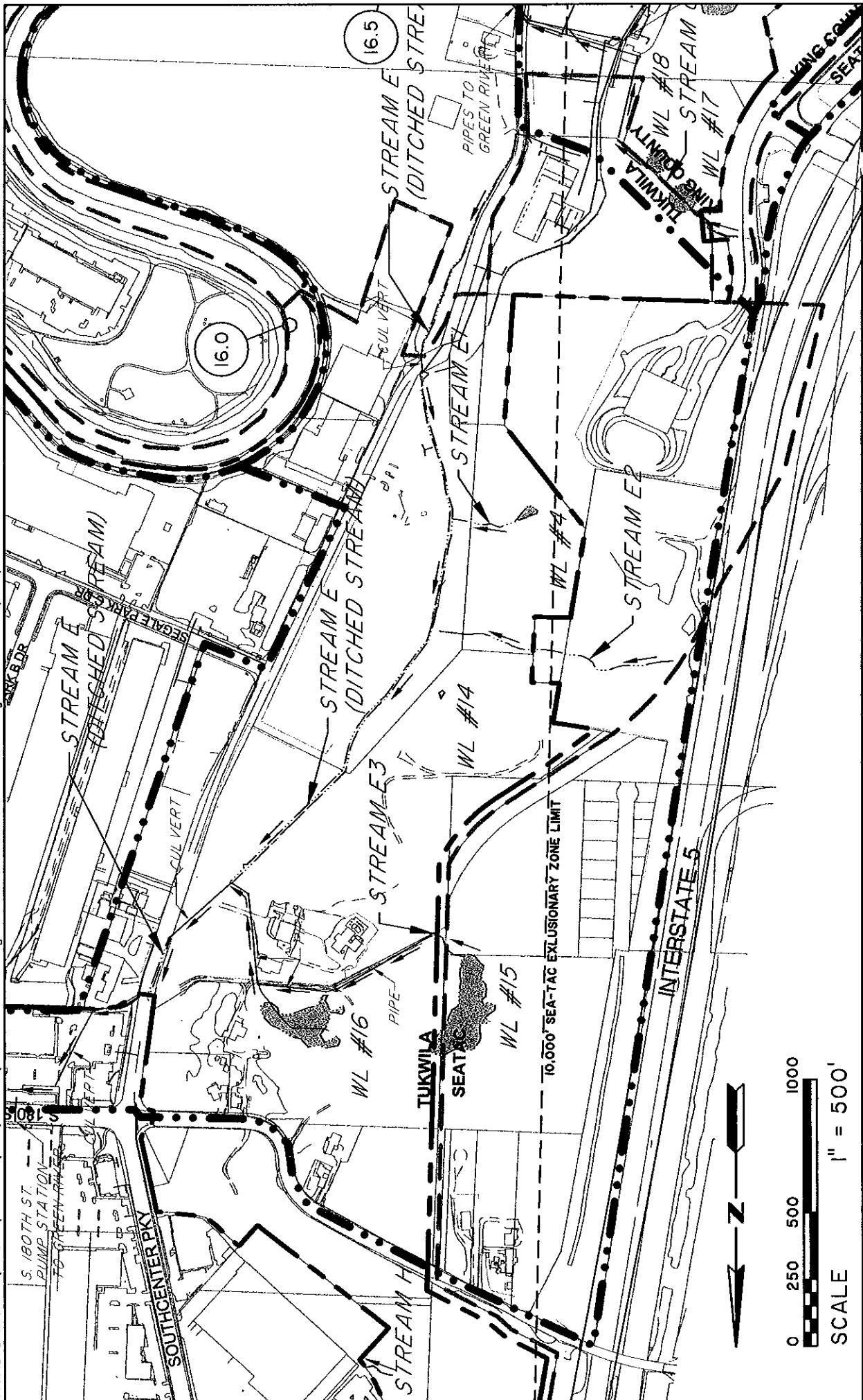
REVISED:
3/30/05



SHEET 5 OF 19
EXPLANATION OF UNAVOIDABLE WETLAND AND STREAM IMPACTS

REVISED:
3/30/05

CORPS REFERENCE NO: 20040358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: H.O.: NAD 83/91 VERT: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88028
TUKWILA, WA 98138

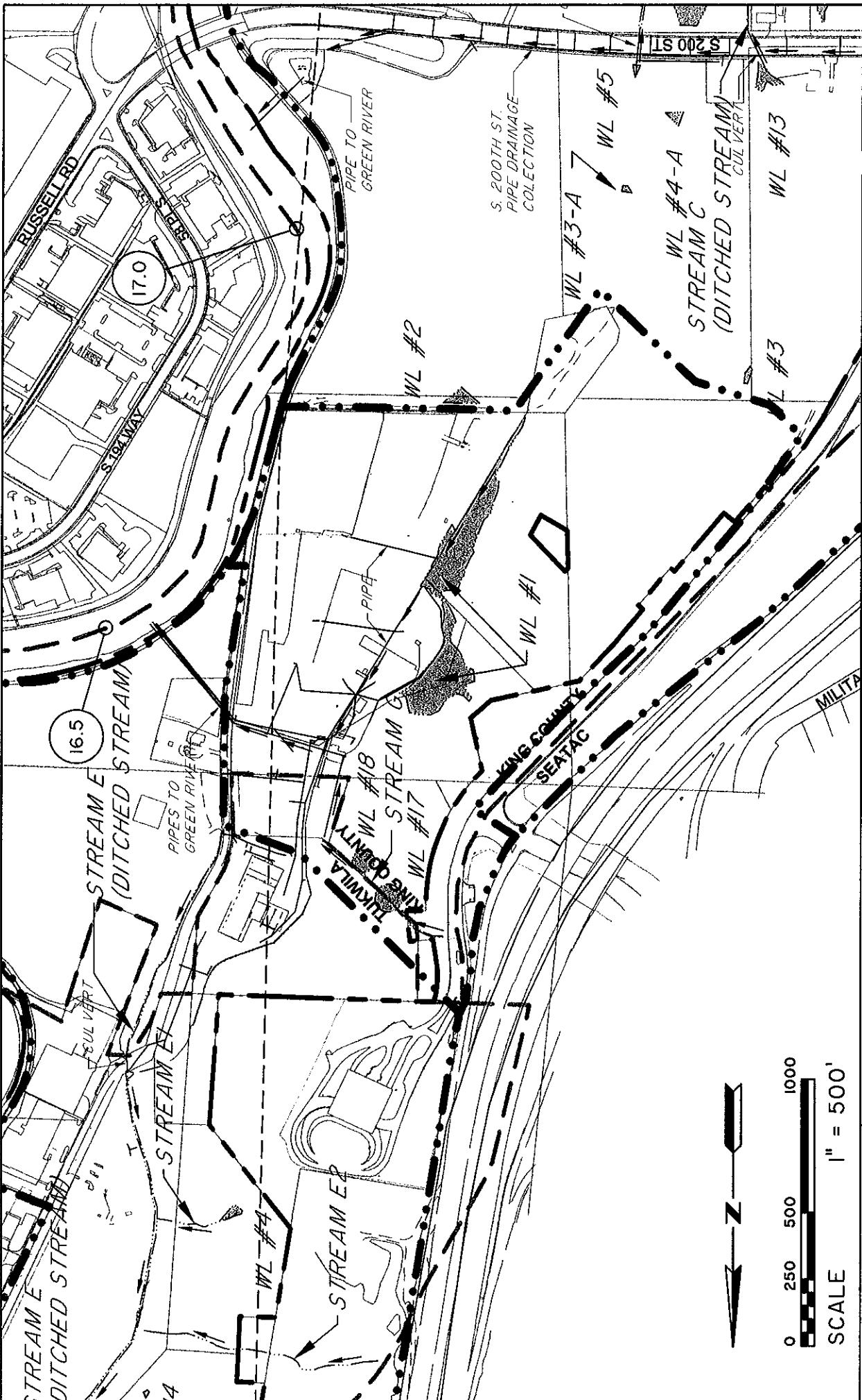


SCALE 1" = 500'

GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1964

SHEET 6 OF 19
EXISTING CONDITIONS
NORTH PORTION
OF SITE

REVISED:
3/30/05

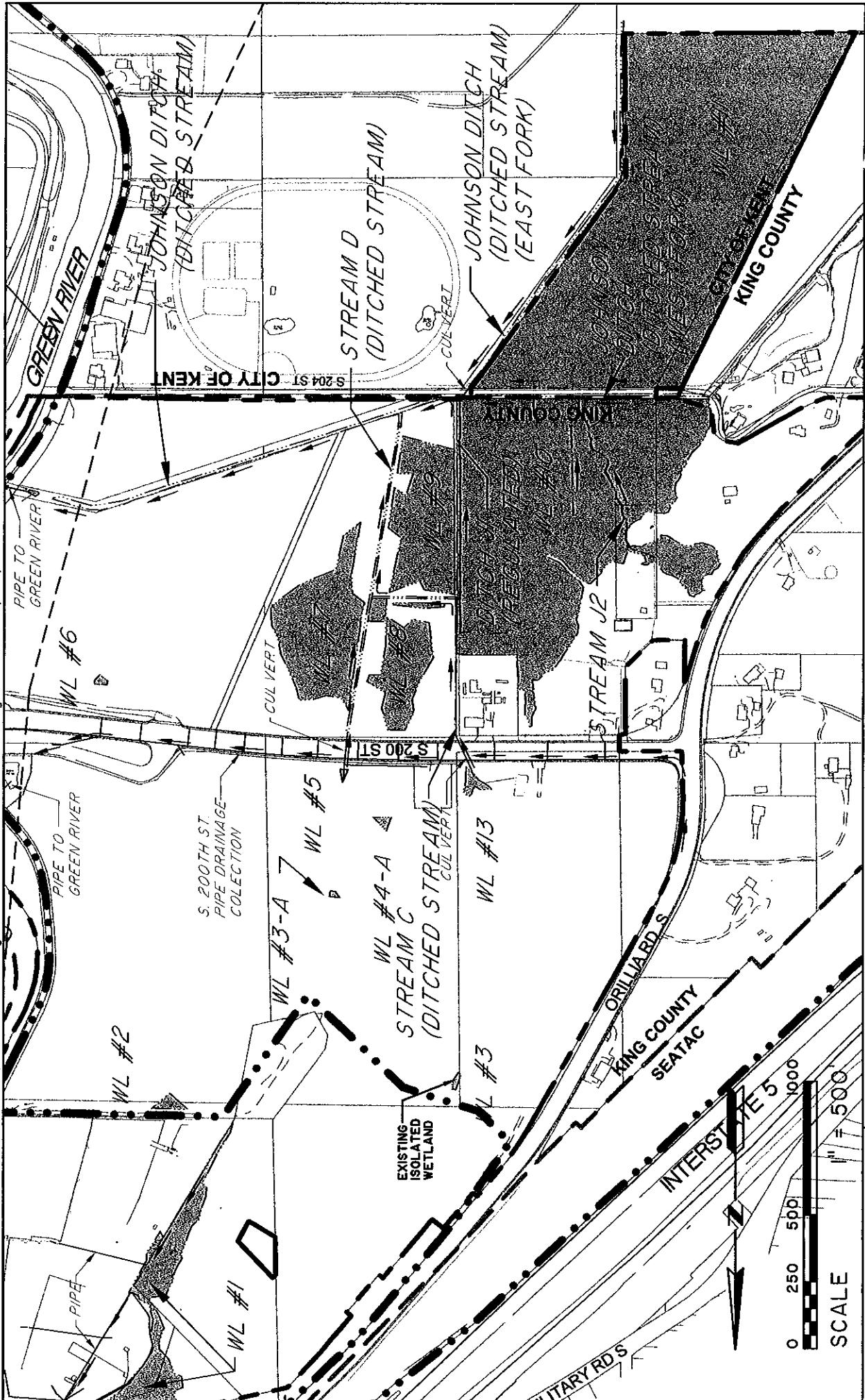


SHEET 7 OF 19
EXISTING CONDITIONS
CENTRAL PORTION
OF SITE

REVISED:
3/30/05

CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HOR: NAD 83/91 VER: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88028
TUKWILA, WA 98138

GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1984



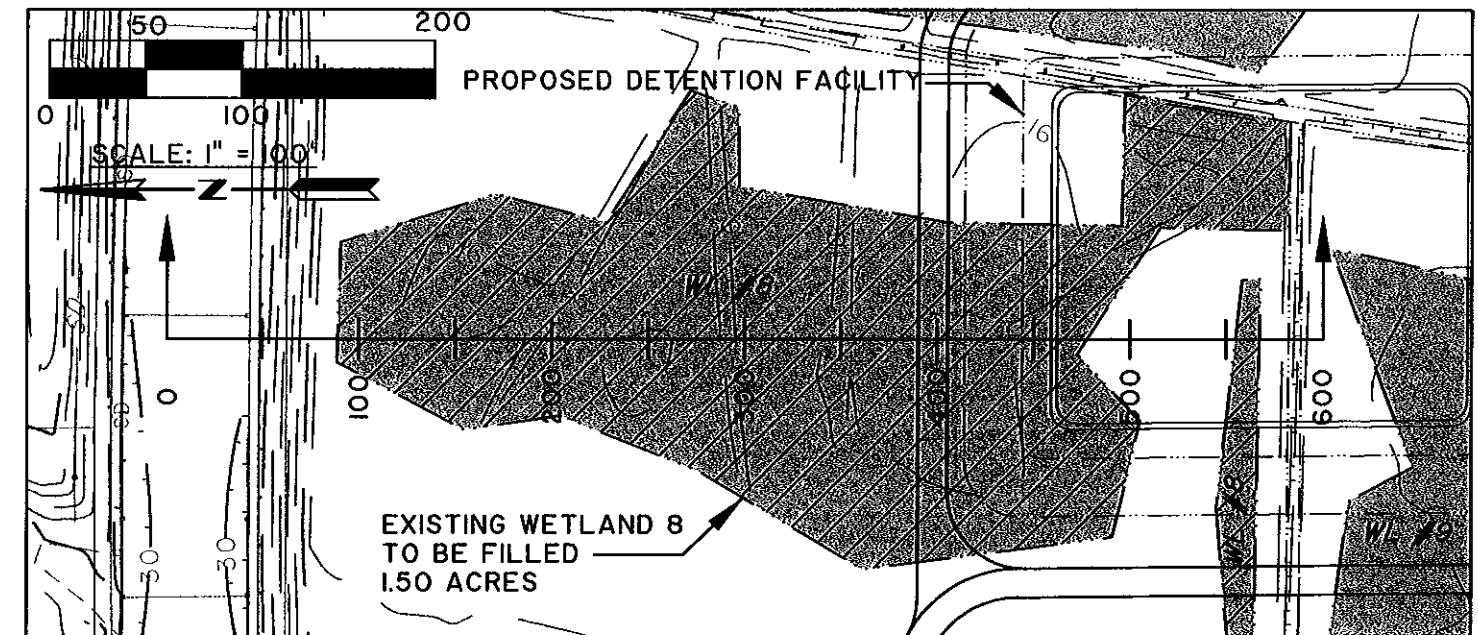
CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HORN: NAD 83/91; VERT: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88028
TUKWILA, WA 98138

GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Seattle • Bellevue • Kirkland • Redmond

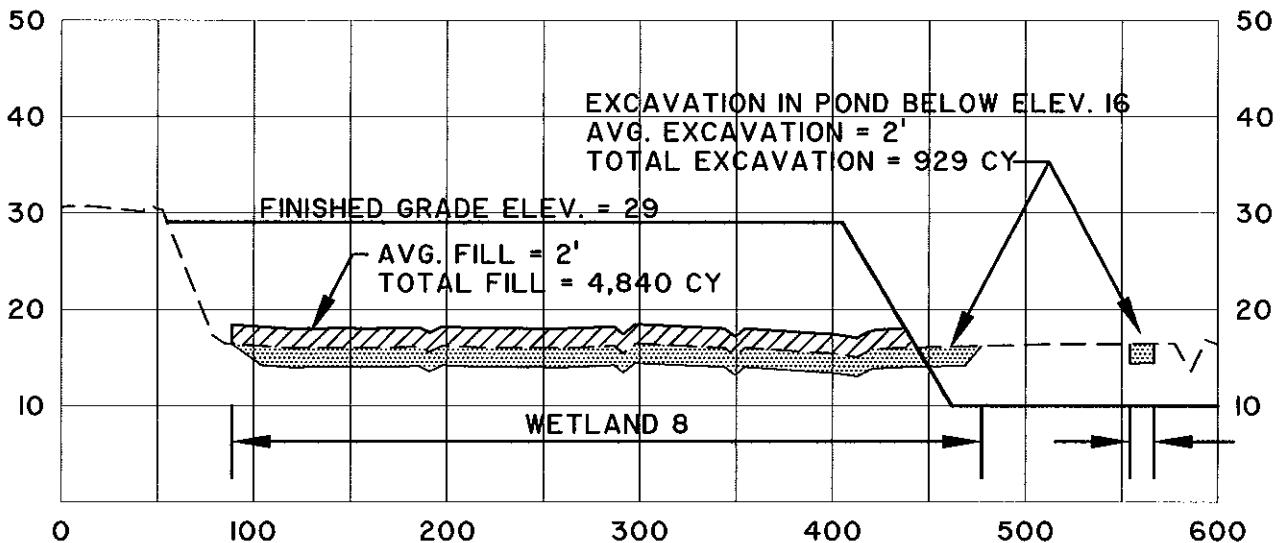
EXISTING CONDITIONS
SOUTH PORTION
OF SITE

SHEET 8 OF 19

REVISED:
3/30/05



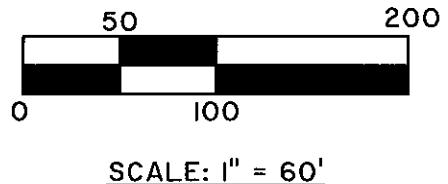
TYPICAL VIEWS WETLAND 8 PLAN VIEW



TYPICAL VIEWS WETLAND 8 CROSS SECTION

NOTE:
EXISTING GROUND CROSS-SECTION IS BASED
ON AERIAL CONTOURS ACCURATE TO $\pm 2'$

THEREFORE, IN AREAS OF WETLAND FILL,
A MINIMUM DEPTH OF 2' HAS BEEN USED



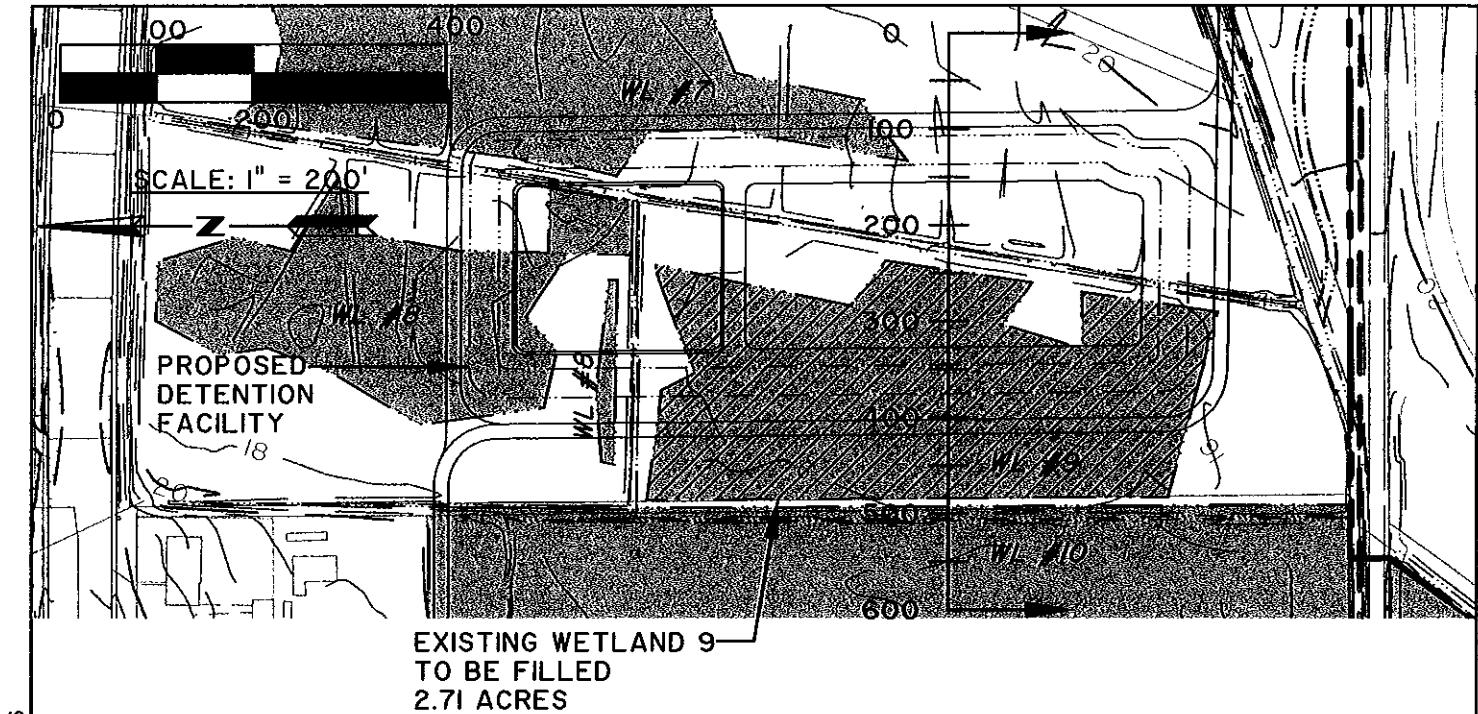
CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HORIZONTAL: NAD 83/91 Vertical: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PIANTA LLC
PO BOX 88028
TUKWILA, WA 98138

REVISED:
3/30/05

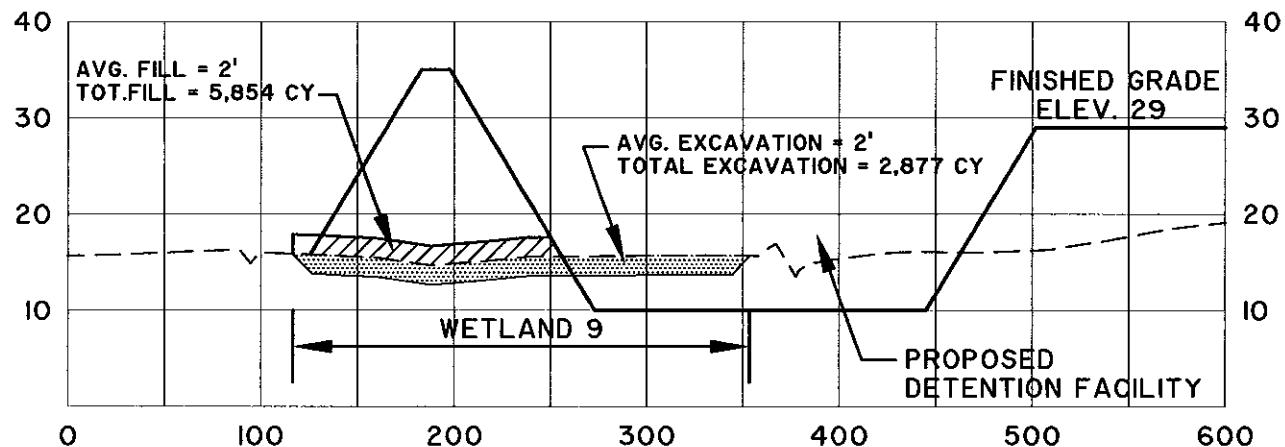
SHEET 9 OF 19

WETLAND 8
PLAN & CROSS SECTION

TYPICAL VIEWS



TYPICAL VIEWS WETLAND 9 PLAN VIEW



TYPICAL VIEWS WETLAND 9 CROSS SECTION

NOTE:
EXISTING GROUND CROSS-SECTION IS BASED
ON AERIAL CONTOURS ACCURATE TO $\pm 2'$

THEREFORE, IN AREAS OF WETLAND FILL,
A MINIMUM DEPTH OF 2' HAS BEEN USED



SCALE: 1" = 60'

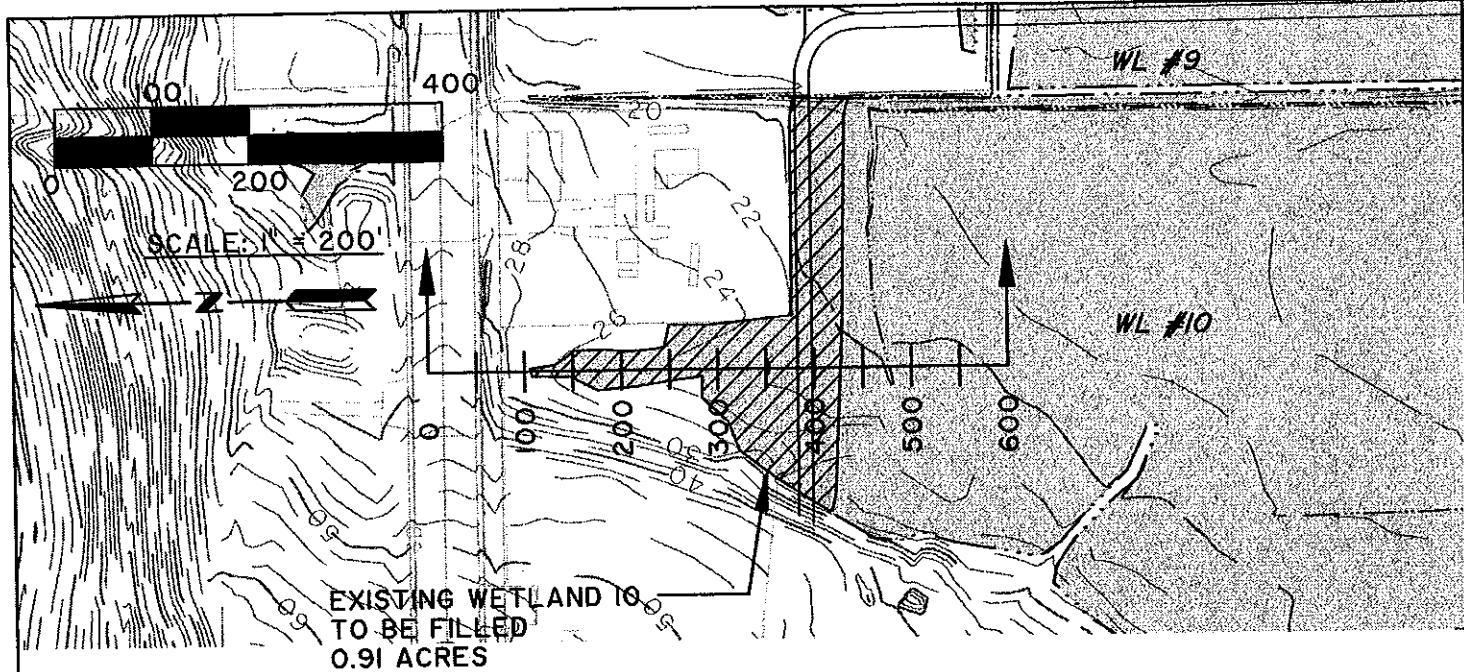


CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HGR: NAD 83/91 VER: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PIANTA LLC
PO BOX 88028
TUKWILA, WA 98138

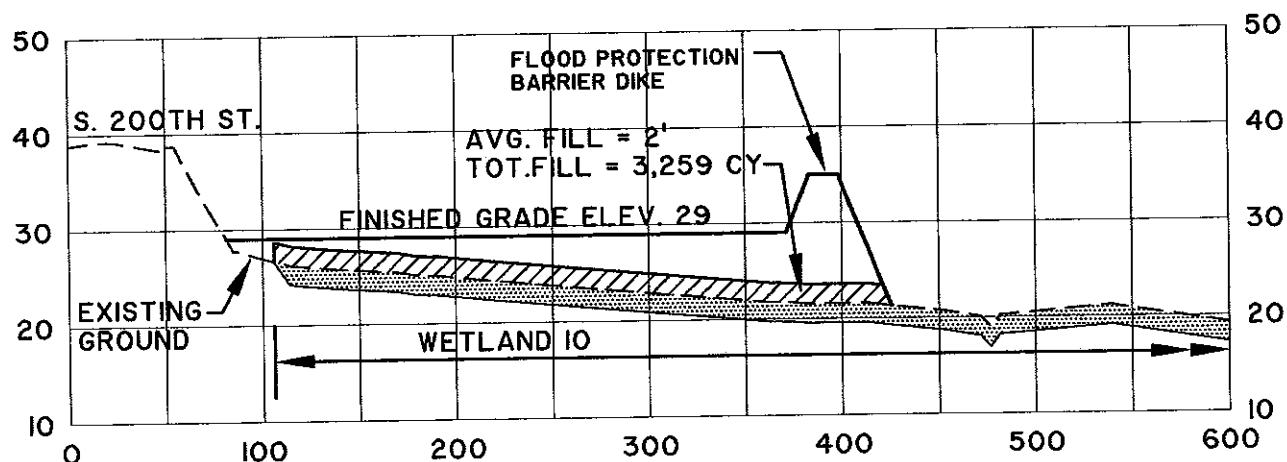
REVISED:
3/30/05

SHEET 10 OF 19

WETLAND 9
PLAN & CROSS SECTION
TYPICAL VIEWS



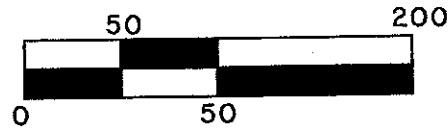
TYPICAL VIEWS WETLAND 10 PLAN VIEW



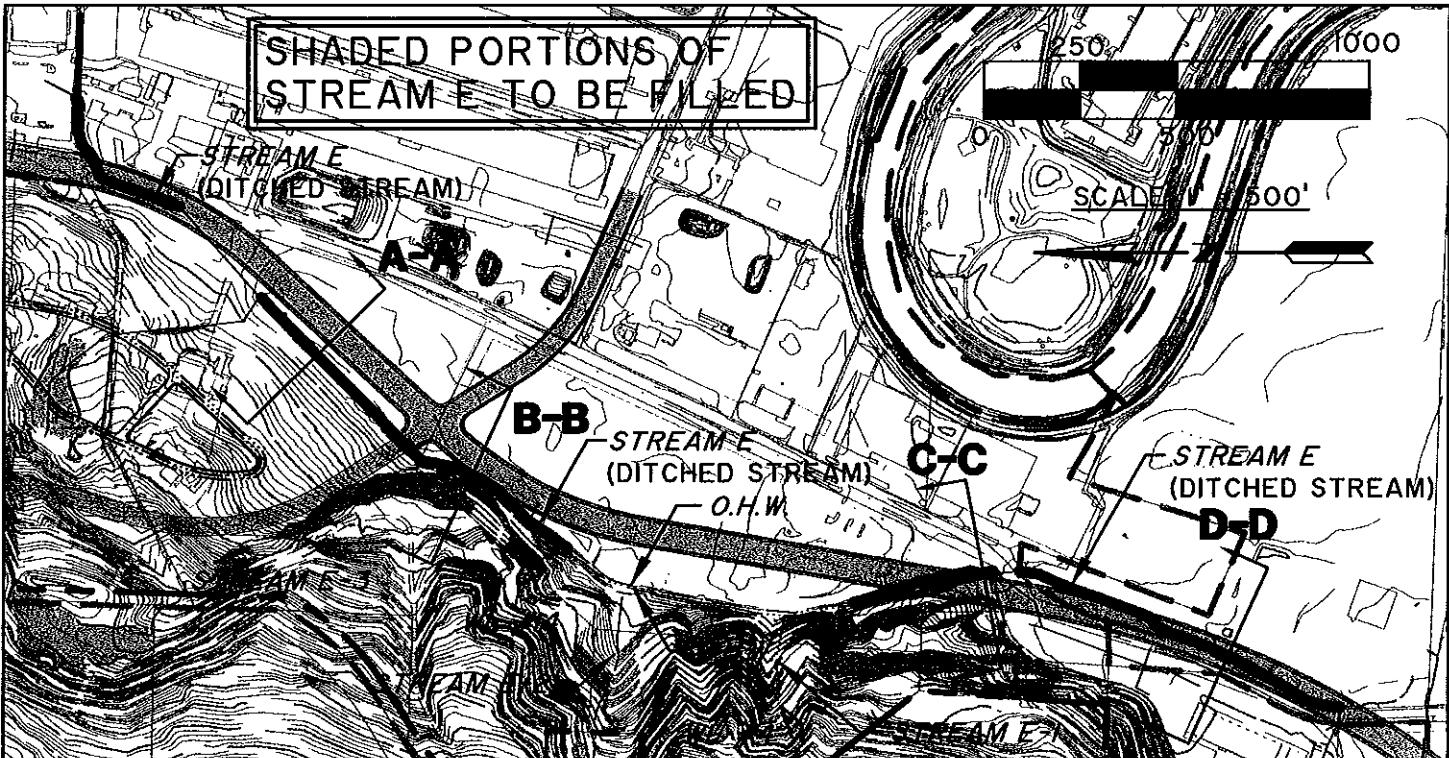
TYPICAL VIEWS WETLAND 10 CROSS SECTION

NOTE:
EXISTING GROUND CROSS-SECTION IS BASED
ON AERIAL CONTOURS ACCURATE TO $\pm 2'$

THEREFORE, IN AREAS OF WETLAND FILL,
A MINIMUM DEPTH OF 2' HAS BEEN USED



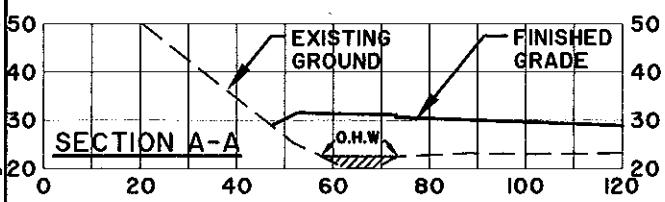
SCALE: 1" = 100'



TYPICAL VIEWS

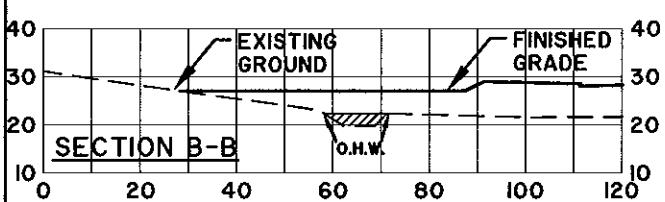
STREAM 'E' PLAN VIEW

PLOTTED: 03102e305-1.dwg LL CARPE 03/30/05 11:09



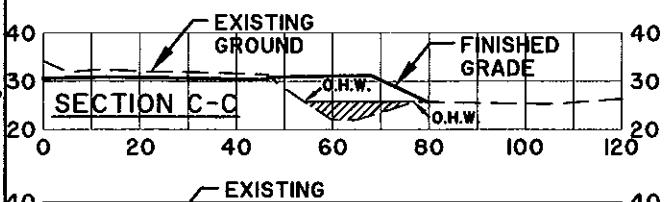
SECTION A-A

FILL AREA = ± 27 SQ .FT.



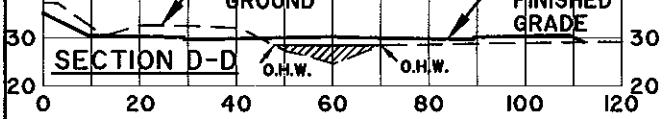
SECTION B-B

FILL AREA = ± 26 SQ. FT.



SECTION C-C

FILL AREA = ± 54 SQ .FT.



SECTION D-D

FILL AREA = ± 45 SQ .FT.

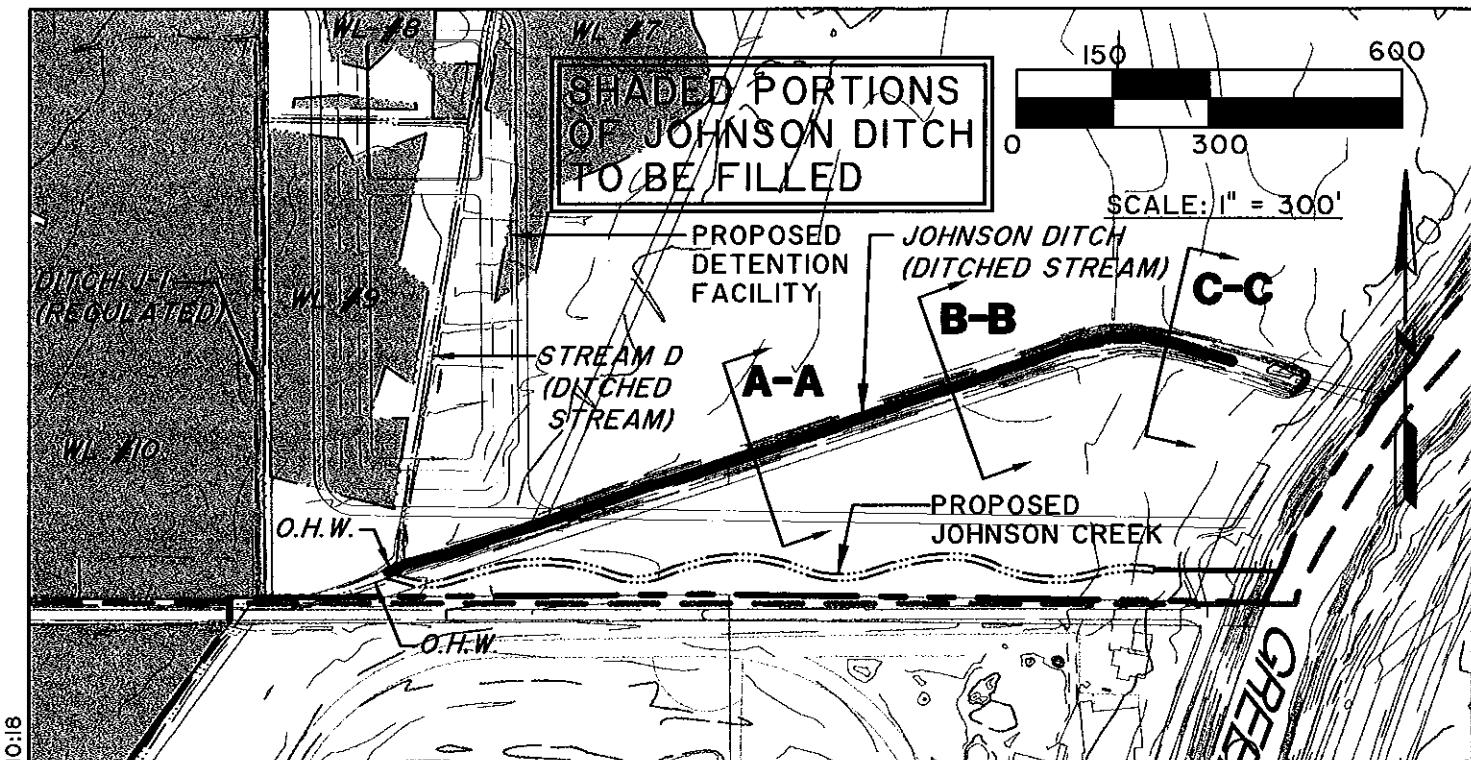
TYPICAL VIEWS

STREAM 'E' CROSS SECTIONS



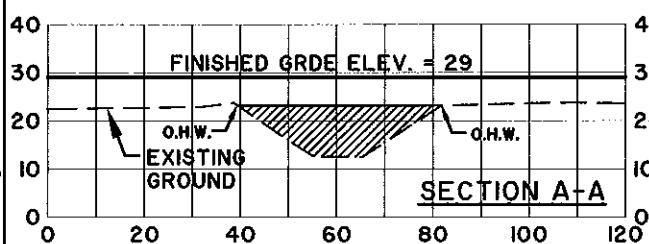
SCALE: 1" = 40'

NOTE:
EXISTING GROUND CROSS-SECTION IS BASED
ON AERIAL CONTOURS ACCURATE TO $\pm 2'$

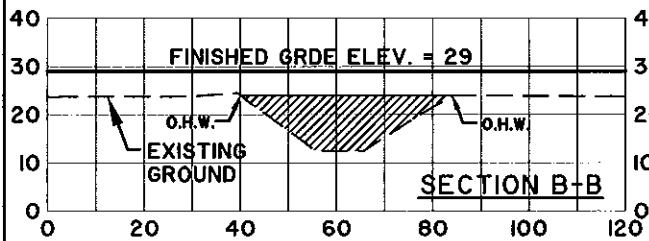


JOHNSON DITCH PLAN VIEW

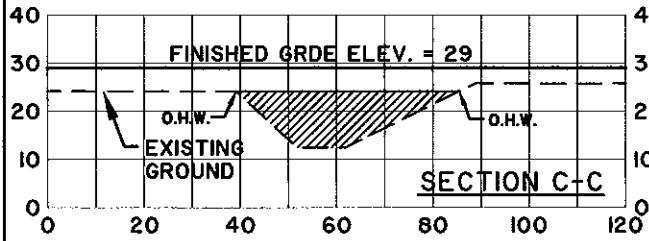
ACAD DWG: M:\ACAD\PLATS\03\02e305-2.dwg LCARPE 03/30/05 10:18
PLOTTED: 03\02e305-2.dwg 03\02e305-2.dwg



SECTION A-A
FILL AREA = ± 282 SQ. FT.



SECTION B-B
FILL AREA = ± 307 SQ .FT.



SECTION C-C
FILL AREA = ± 329 SQ .FT.

AVERAGE
FILL AREA = ± 306 SQ. FT.
FILL LENGTH = $\pm 1,346$ LINEAR FT.
FILL VOLUME = $\pm 15,255$ CY

JOHNSON DITCH CROSS SECTIONS



SCALE: 1" = 40'

NOTE:
EXISTING GROUND CROSS-SECTION IS BASED
ON AERIAL CONTOURS ACCURATE TO $\pm 2'$

LEGEND:

0 100 200 400

SCALE: 1" = 200'

WETLAND
REHABILITATION
AREA

SOUTH
STORM
WATER
FACILITY

EXISTING JOHNSON DITCH
TO BE RELOCATED

PROPOSED FLOOD PROTECTION
BARRIER DIKE TO ELEV. 35
SEE SHT. 34 FOR CROSS
SECTION

WETLAND
REHABILITATION
AREA

PROPOSED
JOHNSON CREEK
NEW OUTFALL WITH "FISH-FRIENDLY"
FLOODGATE TO BE INSTALLED

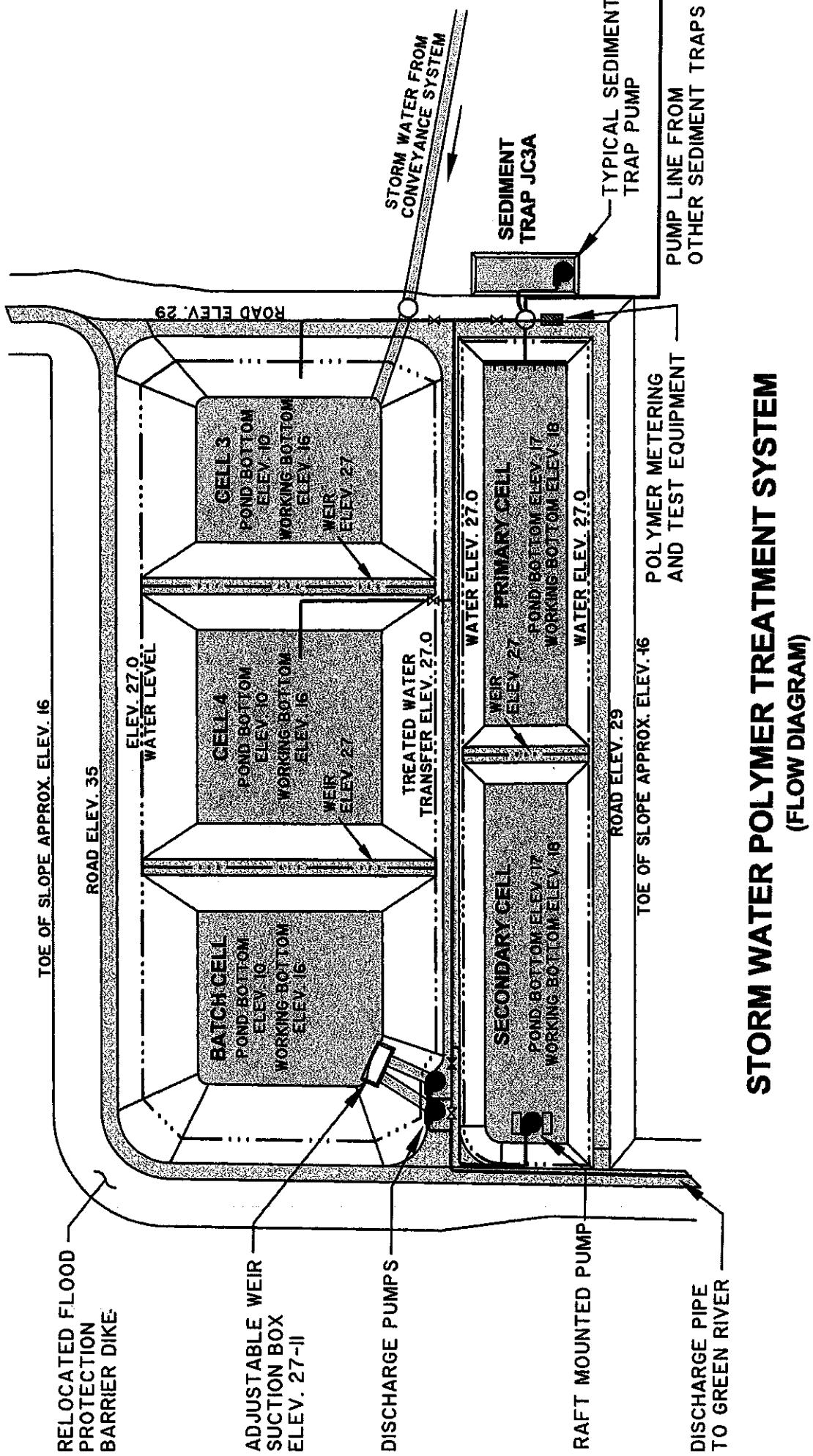
S 204TH ST

SHEET 14 OF 19

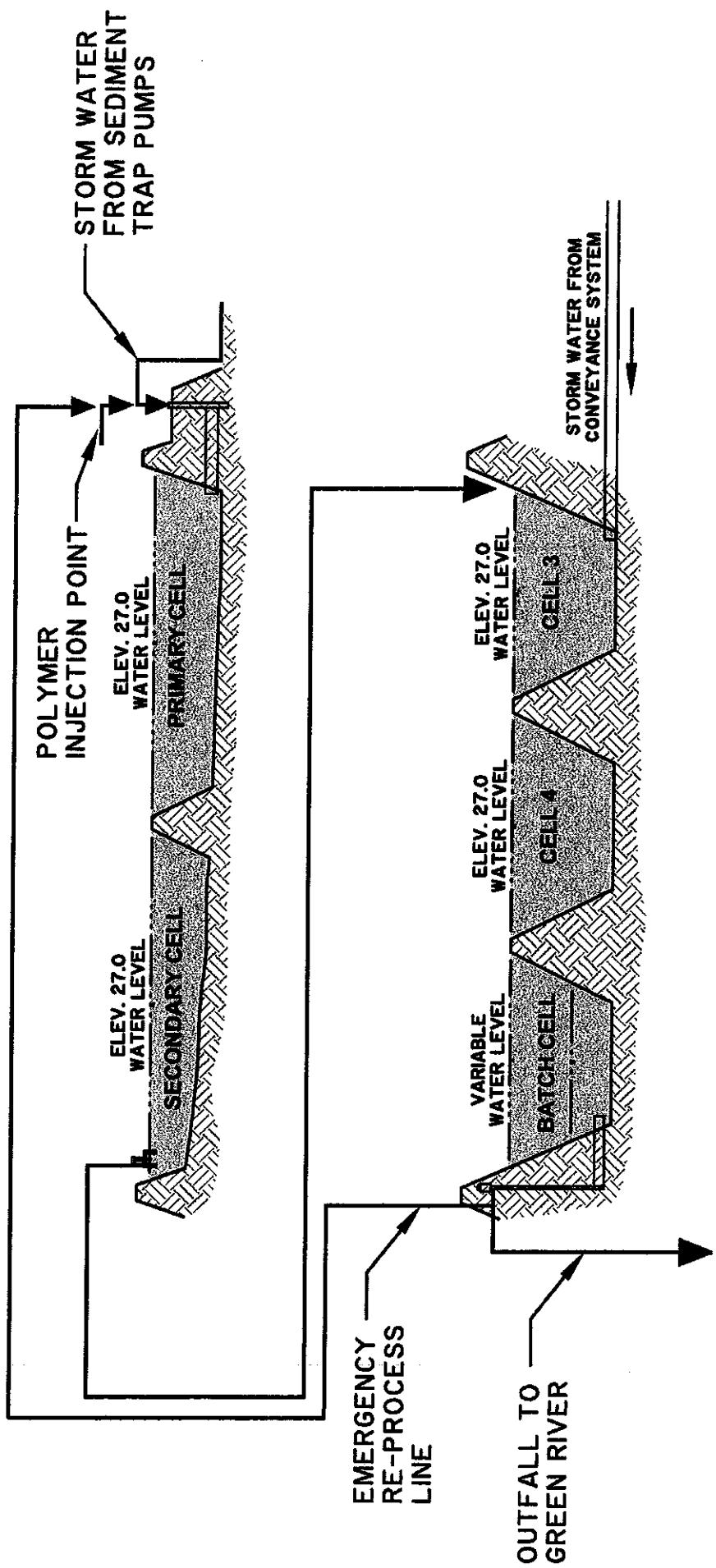
JOHNSON CREEK
RESTORATION PLAN

CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: NAD 83/91; VER: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88026
TUKWILA, WA 98138

GOLDSMITH
& ASSOCIATES
Engineering - Land Use Planning - Surveying
2004 Rev. 1



CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUM: NAD 83 / 91 VERT. NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88028
TUKWILA, WA 98138



**STORM WATER POLYMER TREATMENT SYSTEM
(FLOW DIAGRAM)**

GOLDSMITH & ASSOCIATES
Engineering - Land Use Planning - Surveying
Since 1968

CORPS REFERENCE NO.: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUM: HGR: NAD 83/91 VER: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PLANTA LLC
PO BOX 88028
TUKWILA, WA 98138

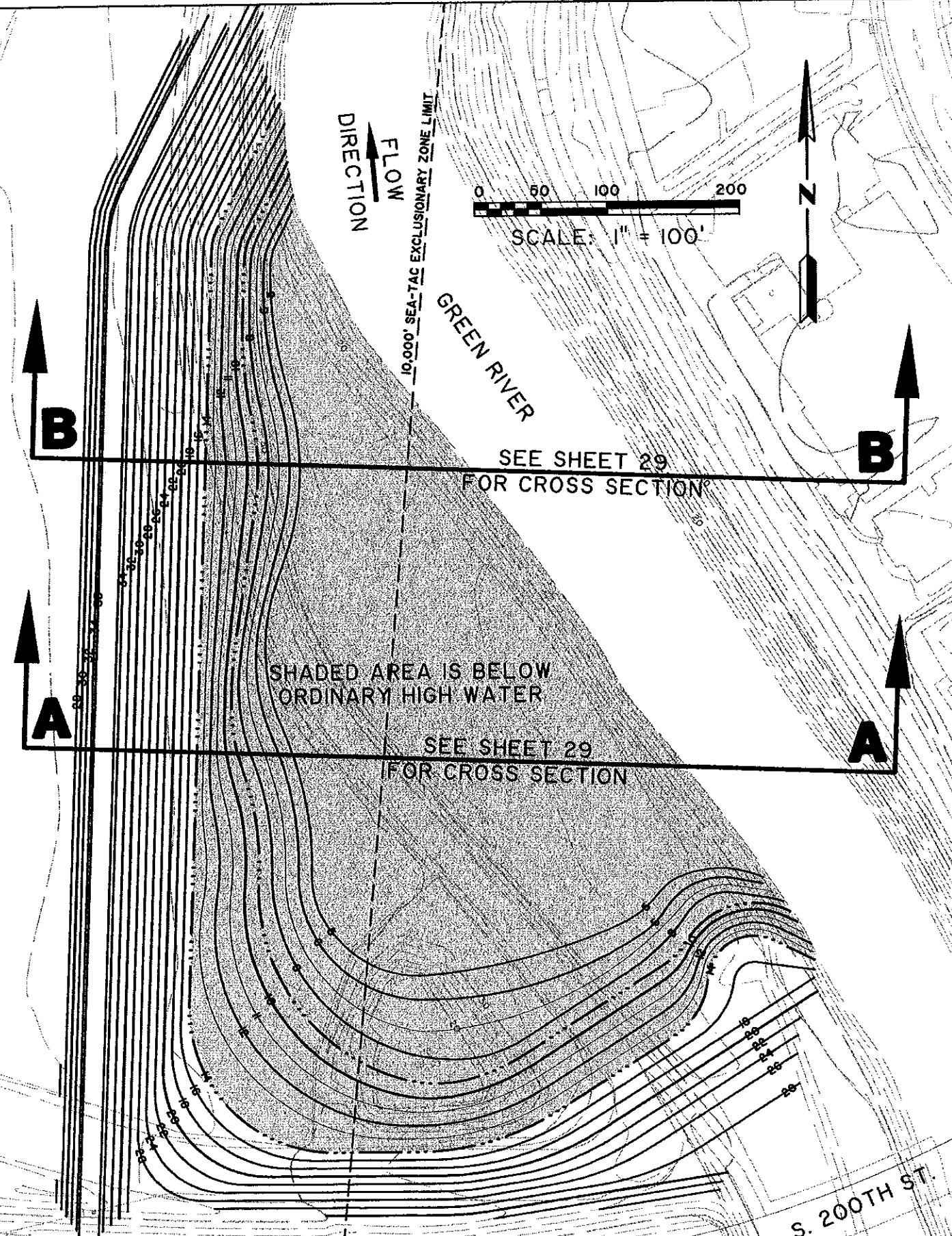
**STORM WATER POLYMER
TREATMENT SYSTEM
CROSS-SECTION
SHEET 1C OF 19**

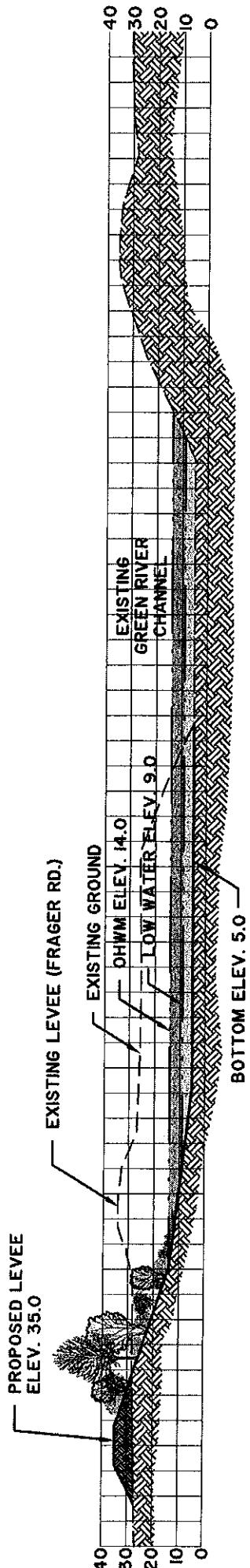


CORPS REFERENCE NO: 200401358
PROJECT: TUKWILA SOUTH PROJECT
DESCRIPTION: EMERGING TECHNOLOGY
MASTER PLANNED COMMUNITY
DATUMS: HOR: NAD 83/91 VER: NGVD 1929
LOCATION: CITY OF TUKWILA, KING COUNTY, WA
DATE: NOVEMBER 30, 2004
APPLICATION BY: LA PIANTA LLC
PO BOX 88028
TUKWILA, WA 98138

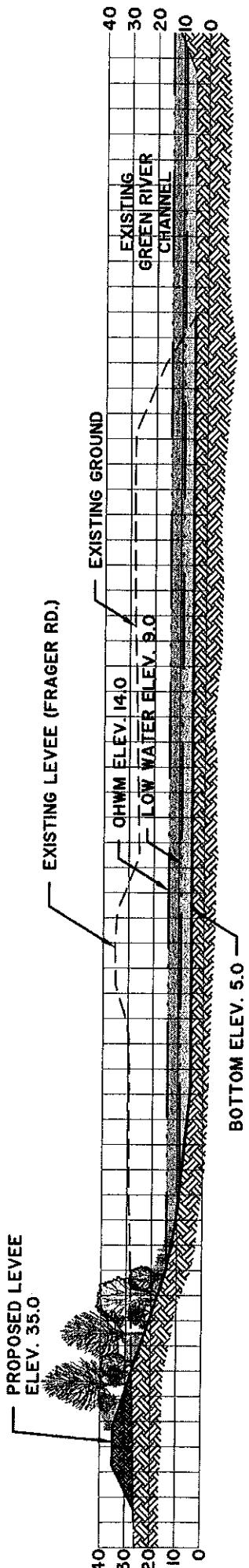
SHEET 17 OF 19

GREEN RIVER
OFF-CHANNEL HABITAT
RESTORATION AREA

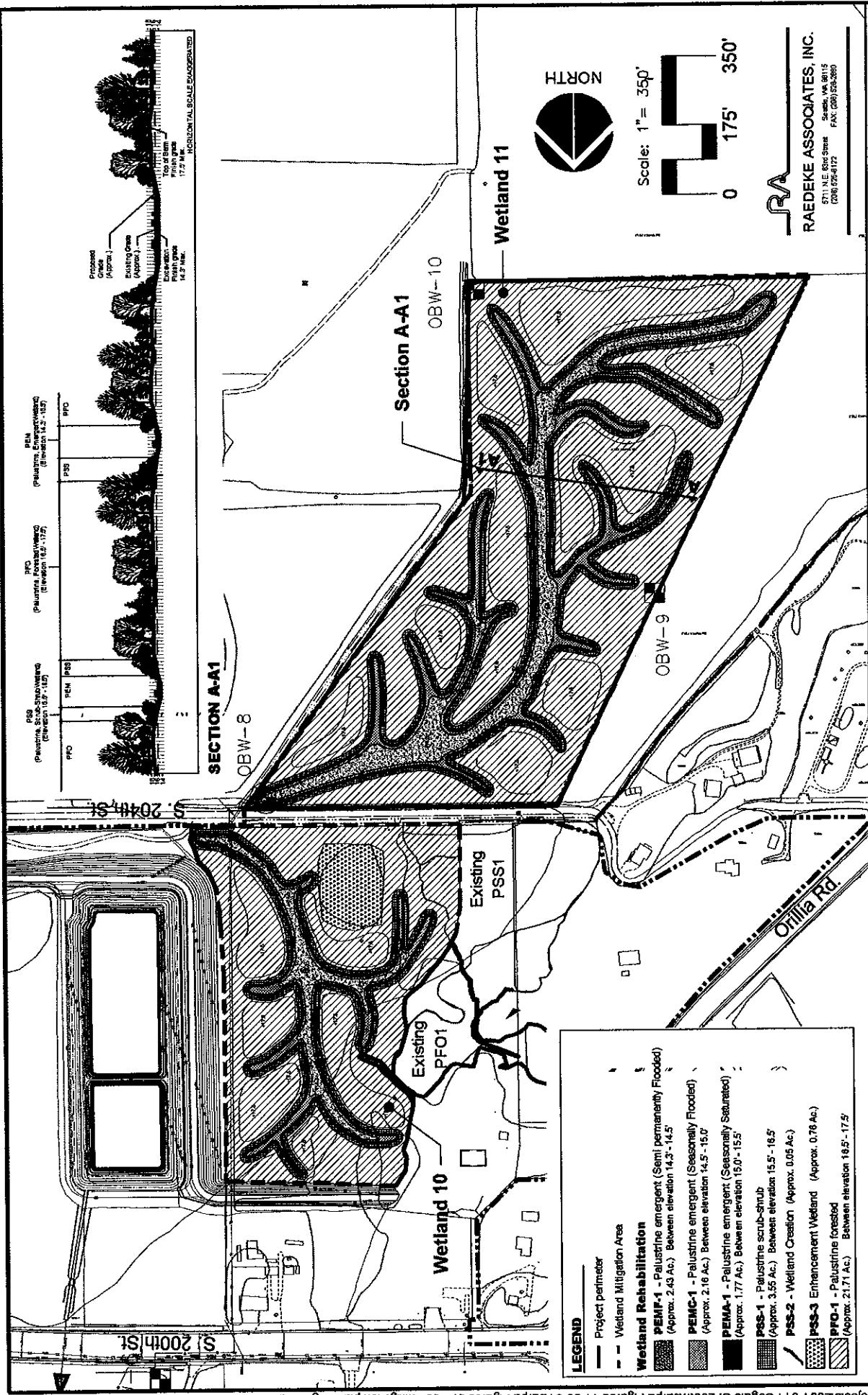




SECTION B - B



GOLDSMITH & ASSOCIATES <small>Engineering - Land Use Planning - Surveying</small>	CORPS REFERENCE NO.: 200401358 PROJECT: TUKWILA SOUTH PROJECT DESCRIPTION: EMERGING TECHNOLOGY MASTER PLANNED COMMUNITY DATUMS: HOR: NAD 83/91 VERT: NGVD 1929 LOCATION: CITY OF TUKWILA, KING COUNTY, WA DATE: NOVEMBER 30, 2004 APPLICATION BY: LA PLANTA LLC PO BOX 88028 TUKWILA, WA 98138	SHEET 18 OF 19
	GREEN RIVER OFF-CHANNEL HABITAT RESTORATION AREA	



CONCEPTUAL WETLAND MITIGATION PLAN

Project: Tukwila South Project

Applicant: La Pianta LLC
PO Box 88028
Tukwila, WA 98188

Proposal: Emerging Technology Master Planned Community



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: April 8, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401358 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307C of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600